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#5 Letter
Smw 1-16-02

H-733

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

S. TOKITA et al

Serial No. 09/247,809 ✓

Filed: February 11, 1999

For: OPTICAL TRANSMITTER AND OPTICAL TRANSMITTING
APPARATUS USING THE SAME

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REQUEST FOR NEW OFFICE ACTION
AND RESET OF STATUTORY REPLY

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Applicants request a new Office Action and a reset of the statutory period for reply to the Office Action because Applicants did not receive the Office Action mailed September 27, 2001.

As a result of a routine status check in the above-identified application, Applicants' attorney contacted the Patent Office on November 19, 2001, and was advised that an Office Action had been mailed. The Office Action requires an election of species and sets forth a one-month statutory period for reply. Since the period has already expired and Applicants have not had sufficient to respond to the

requirement, please reset the statutory period for reply by mailing the Restriction Requirement to Applicants' attorneys.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "J.R. Mattingly", written in dark ink.

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Date: November 23, 2001